

**MINUTES**  
**UTAH**  
**HUNTING GUIDES AND OUTFITTERS**  
**LICENSING BOARD MEETING**

**January 17, 2012**

**Room 475 – 4th Floor – 1:00 p.m.**  
**Heber Wells Building**  
**Salt Lake City, UT 84111**

**CONVENED: 1:10**

**ADJOURNED: 2: 45**

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Yvonne King

**Board Members:**

Paul Niemeyer – Chairperson  
Adam Bronson  
Jed Wayment

**Board Members Absent**

Troy Justensen  
Adam Bronson

**ADMINISTRATIVE BUSINESS:**

Welcome John Bair

Mr. Ormond gave the Oath of Office to Mr. Bair.

Mr. Ormond reviewed the Orientation/Reference Manuel with Mr. Bair and explained what his role will be with respect to licensing and the Division as the new Board member.

Approve the August 16, 2011 Board Meeting Minutes

Mr. Wayment, seconded by Mr. Bair, made the motion to approve the August 16, 2011 Board meeting minutes. The motion carried unanimously.

**APPOINTMENTS**

Susan Higgs (Compliance)

Ms. Higgs reviewed the Compliance Report as follows:

**Mr. Hebler:**

Mr. Hebler appears to be non-compliant due to the employer reports not being turned in.

**Mr. Denney:**

Mr. Denney appears to be non-complaint due to the

Dale Denney

fact that he had not turned in verifications from Idaho and Montana and failed to turn in employer reports.

Mr. Denney appeared before the Board for his scheduled appointment. Mr. Niemeyer asked why he did not submit employer reports and the out of state verifications. Mr. Denney replied that he was out cougar hunting and did not realize he needed the out of state reports.

Mr. Denney provided letters from his clients for the Board to review.

Mr. Denney's probation was to end 12/2011 but because he was non-compliant the Division could not release him off probation.

Mr. Bair seconded by Mr. Wayment made a motion to allow Mr. Denney until February 10, 2012 to submit to compliance all the necessary documentation required. If Mr. Denney does not comply the Board will recommend revocation of his license. The motion carried unanimously.

The Board considers Mr. Denney non-compliant with his Memorandum.

Christopher Hibler

Mr. Hibler appeared before the Board for his scheduled appointment. Mr. Wayment performed the interview.

Mr. Hibler has not submitted the employer reports as requested. Mr. Hibler stated he guides for Western Lands which was not public lands. The Board stated that the clock stops until he works on public land.

Mr. Ormond suggested that if Mr. Hibler could complete some hunts on public land before 2012, he could request an early release and the Board may then provide some provisions.

Mr. Wayment seconded by Mr. Bair made a motion to allow Mr. Hibler to guide a minimum of four hunts with in the next two years and to amend paragraph 5-I in Mr. Hibler's Memorandum to follow the new provisions. The motion carried unanimously.

Ms. Higgs explained that Mr. Hibler must fill out the

employer report and specify that he has not worked on public land. Ms. Higgs also explained that he must submit those reports monthly for six months then quarterly.

The Board considers Mr. Hibler compliant with the amended Memorandum providing he follows through with the provisions as discussed.

David Black

Mr. Black did not appear before the Board for his scheduled appointment however he did call in advance to let the Board know.

The Board determined that they would like to visit with Mr. Black at the next scheduled Board meeting in April.

Mr. Black is considered non-compliant with his Memorandum.

#### **DISCUSSION ITEMS:**

Model Contract

Mr. Ormond stated that the State of Colorado has built into their law a contract originated from their model contract. According to Mr. Ormond Utah's statute does not give the Division written authority to provide a written contract.

Mr. Ormond then stated that built into our statute it states it is unprofessional conduct to violate material breaching of a contract using hunting guide and outfitter services.

Legislative Issues

Mr. Ormond asked the Board if they knew of any legislative bills being filed. The Board members replied that they did not know of any pending legislative actions.

Investigative Report

Mr. Furlong stated that in the last two years investigations had 6,900 complaints. Out of those complaints, 16 have been from Hunting Guides and Outfitters, and out of those, six were unfounded, two were considered lack of evidence, three were Memorandums, and two are currently pending before the Attorney General's office.

The Board expressed concerns that there was not enough being done from investigations concerning

complaints that have been filed with the Division. The Board then discussed specific complaints and wanted to know what the outcome was. Mr. Furlong stated that he would obtain the information and get back with Mr. Ormond.

Mr. Furlong suggested the Board provide names, the Division could then do the research and Mr. Furlong would talk with Mike Fawlkes from the Division of Wildlife Resources (DWR) and coordinate a process.

#### BLM Training

Mr. Ormond stated that the Bureau of Land Management, (BLM) will provide training on permits from February 14<sup>th</sup> through February 17<sup>th</sup>. Mr. Ormond stated he would be attending the training.

*Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.*

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Date Approved

Chairperson, Hunting Guide & Outfitter Licensing Board

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Date Approved

Bureau Manager, Division of Occupational & Professional Licensing